



JICI - STUDENT CONDUCT INVOLVING WEAPONS

The Board of Education has determined that student possession, use and/or threatened use of a dangerous weapon, which for the purposes of this policy includes a knife regardless of blade length, is detrimental to the welfare and safety of students and school personnel.

Student possession, use and/or threatened use, without the authorization of the school or the District, of a dangerous weapon is prohibited on all District property, on all District vehicles, at all District or school-sponsored activities or events, and off District property when such conduct has a reasonable connection to school.

In accordance with federal law, expulsion for no less than one full calendar year shall be mandatory for a student who is determined to have brought a firearm as defined below to school or to have possessed a firearm at school, regardless of age. The superintendent may modify the length of this federally required expulsion in writing on a case-by-case basis.

The Board of Education determines that extra precautions are important and necessary to provide for student safety. Therefore, student possession, use and/or threatened use of a dangerous weapon in violation of this policy is grounds for suspension or expulsion.

This policy and all policies related to suspension and expulsion must be enforced equitably across schools and across protected classes, as defined in Policy AC – Nondiscrimination/Equal Opportunity.

Definitions

For the purposes of this policy, these terms have the following meanings:

"Dangerous weapon" means:

1. A firearm, whether loaded or unloaded.
2. Any device designed to propel projectiles by spring action or compressed air. This includes pellet and BB guns, and applies whether or not the device is operational.
3. Any knife, regardless of blade length. Any object, device, instrument, material or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury.

"Firearm" means:

1. any weapon (including a starter gun) that will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
2. the frame or receiver of any such weapon;
3. any firearm muffler or firearm silencer; or
4. any destructive device, as defined below.

“Destructive device” means:

1. any of the following with an explosive, incendiary, or poison gas mechanism: bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or device similar to any of those in the preceding list;
2. any type of weapon that will or that may be readily converted to expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter; or
3. any combination of parts either designed or intended for use in converting any device into a “destructive device” (as previously defined) and from which a “destructive device” (as previously defined) may be readily assembled.

Firearm Facsimile

Carrying, using, actively displaying or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm on District property, on District vehicles, during a school-sponsored or District-sponsored activity or event, and off school property when such conduct has a reasonable connection to school without the authorization of the school or District is prohibited. Students who violate this policy provision may be subject to disciplinary action, including but not limited to suspension and/or expulsion, in accordance with District policy concerning student suspensions, expulsions and other disciplinary interventions.

A student may seek prior authorization from the principal to carry, bring, use or possess a firearm facsimile that could reasonably be mistaken for an actual firearm on school property for purposes of a school-related or non-school related activity. A student's failure to obtain such prior authorization is a violation of this policy and may result in disciplinary action, including but not limited to suspension and/or expulsion. The principal's decision to deny or permit a student to carry, bring, use or possess a firearm facsimile that could reasonably be mistaken for an actual firearm on school property is final and not subject to appeal.

School administrators shall consider violations of this policy provision on a case-by-case basis to determine whether suspension, expulsion or any other disciplinary action is appropriate based upon the individual facts and circumstances involved.

Confiscation and Surrender of Weapons

School administrators, officials and employees may confiscate any weapons or other articles detrimental to the health, safety or welfare of students and/or employees, and may submit the weapon or article to the appropriate law enforcement agency.

If a student inadvertently brings a weapon prohibited by this policy on District property, in a District vehicle, at a District or school-sponsored activity or event, or off District property when such conduct has a reasonable connection to school without intent to use the weapon (excluding a firearm), the student can surrender the weapon to an administrator without facing disciplinary consequences. Surrendered weapons will only be returned directly to the student's parent/caregiver.

Any student with a firearm at school for any reason will face disciplinary consequences. Repeated incidents of a student surrendering a weapon may result in disciplinary consequences.

All students are encouraged to report to District staff or through Safe2Tell if they are aware that another student has a dangerous weapon on District property, in a District vehicle, at a District or school-sponsored activity or event, or off District property when such conduct has a reasonable connection to school.

Referral to Law Enforcement

District personnel shall refer any student to law enforcement who brings a firearm or other dangerous weapon on District property, in a District vehicle, at a District or school-sponsored activity or event, or off District property when such conduct has a reasonable connection to school, without authorization of the school or the District.

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Revised by Board: May 26, 2009, effective July 1, 2009

Revised by Board: March 23, 2010

Revised by Board: June 21, 2011, effective July 1, 2011

Revised by Board: June 12, 2012, effective July 1, 2012

Revised by Board: June 13, 2017, effective July 1, 2017

Revised by Board:

Cross References:

JKD/JKE - Suspension/Expulsion Of Students

JKD/JKE-R - Procedures Regarding Suspension/Expulsion of Students

JKDA/JKEA - Grounds for Suspension/Expulsion of Students

Legal References:

18 U.S.C. 921(a)(3) & (4) (federal definition of "firearm" and "destructive device")
20 U.S.C. 7961 (Gun-Free Schools Act)

C.R.S. 18-12-101(1)(b.7) (Colorado definition of "firearm")

C.R.S. 18-12-105.5 (unlawfully carrying a weapon on school grounds)

C.R.S. 22-32-109.1(1)(c) & (2)(a)(I)(G) (cross-reference to definition of dangerous weapon and policy required as part of safe schools plan)

C.R.S. 22-33-102(4) (definition of dangerous weapon)

C.R.S. 22-33-106(1)(d)(I), (1)(f) & (1.5) (possession of a dangerous weapon grounds for discipline, must adopt policy regarding firearm facsimiles, and mandatory one year expulsion for bringing a firearm on school grounds)